IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

SECOND APPEAL NO.54 OF 2007

With

CIVIL APPLICATION NO.849 OF 2007

In

SECOND APPEAL NO.54 OF 2007

Shri Rajaram Shankar Mokal : Appellant
(Orig.Defendant)

V/s.

Sou. Jamanabhai Kashinath Bhure : Respondent
((Orig.Plaintiff)

...

Mr.M.A.Patil for the appellant.

Mr.Amit Sale for the respondent.

...

CORAM : S.A.BOBDE, J.

DATE : SEPTEMBER 07, 2007.

P.C.

Admit.

By consent, taken up for final hearing.

2. After hearing the matter for sometime, the following order is passed by consent:-

O R D E R

(i) The impugned judgement of the appellate Court is set aside on point nos.(3) to (7). The appellate Court is directed to decide the appeal afresh on the said points after framing additional point as follows i.e. whether the suit is bared by limitation.

(ii) The appellate Court is directed to decide the appeal, as expeditiously as possible, and not later than one year from the date the parties appear before it. The parties are directed to appear before the appellate Court on 24.9.2007. The parties are at liberty to make a prayer for framing of additional points as may be advised.

(iii) The Second Appeal is disposed of.

(iv) In view of the disposal of the Second Appeal, the Civil Application does not survive and the same stands disposed of.

S.A. BOBDE, J.